

JURY IS SECURED IN MURDER CASE

Panel to Pass On Question of Charles Carrington's Guilt Selected in Circuit Court.

OPENING STATEMENTS ARE MADE

State's Attorney Thompson Calls Crime Inexcusable But Lad's Counsel Claims Self Defense.

JURY IN MURDER CASE.
O. E. Falk, Moline, retired farmer, E. G. Ehle, Rock Island, polisher, Newton Looby, Rock Island, clerk, J. A. Soderquist, Moline, painter, Frank Neltner, Rock Island, arsenal employee, Foster Coyne, Rock Island, painter, Frank Collins, Rock Island, contractor, G. M. Knoblock, Rock Island, insurance agent, R. E. Connelly, Rock Island, machinist, Robert Hoffman, Rock Island, bookkeeper, John McAllister, Port Byron, farmer, Joe Anderson, Moline, steamfitter.

Is Charles Carrington, colored, guilty of the murder of Lester Nesbit, Burlington car repairer? It is up to the above jury, which was selected yesterday afternoon at 4:15 in circuit court, to determine.

Completion of the panel came with startling suddenness. When court adjourned at noon yesterday, but four had qualified but the second venire of 15 men summoned to report in the afternoon, evidently furnished better material for this important work, for within a few hours after court convened at 2 o'clock, the men who hold the destiny of the young porter in their hands, were decided upon.

Calls It Murder.
Opening statement to the jury on behalf of the prosecution was made by State's Attorney F. E. Thompson. He recounted the circumstances surrounding the shooting of Nesbit Feb. 12, 1915, as the state expected to prove from the witness stand. He declared there was no justification for the slaying of the car repairer. He told about the latter going into a car in the Burlington yards and finding Carrington asleep with his feet on a seat of the repriand of the lad and of the fight which followed in which Carrington pulled a revolver and shot Nesbit. He pointed out that Nesbit was taken to the hospital, but improved and was able to be

up and around, when he suffered a relapse and died April 30, 1915. He claimed there was no excuse for Carrington totting a gun and declared that evidence would be introduced to show conclusively that Carrington was guilty of murder as charged in the indictment.

Claim Self Defense.
Self defense is the theory upon which the defense will rest according to the statement of Clyde S. Walker, who made a statement for Carrington. He said that the element of malice and premeditation necessary to sustain a murder verdict, was lacking; that Carrington had never shown any feeling against Nesbit but that the latter had openly expressed his dislike for Carrington and had made threats against him. He pointed to the disparity in their weights, claiming that Carrington at the time of the shooting was but 115 while Nesbit was a powerful man, tipping the scale at over 170. He declared that Nesbit was the aggressor in the fight and that the boy did not shoot until he thought his own life in jeopardy.

The jury was then excused until this morning at 9 o'clock, when the introduction of testimony was started.

Evidence Introduced.
First witness called this morning was Robert Otterson, switchman, who told of seeing the two men in the Burlington coach and hearing the conversation between them in which Nesbit is said to have told Carrington to keep his feet off the seat and that Carrington replied he would report him.

Frank Taylor, Chicago, cook, said that Carrington was his third assistant and that the boy came to the bunk the night before the shooting between 10 and 11 and that he told Carrington to take blankets to the cars and take them to the depot. The coach was about one hundred yards from the sleeping place of the men. On cross examination, it was shown that Taylor ordered Carrington to ride on the coach.

The testimony which John Seman, switchman, gave related to seeing Nesbit on the west end of the coach leaning on his arm. The train was moving at a rate of from four to five miles an hour, he said. He did not see anyone get off the train as it moved to the depot.

Another switchman, F. T. Johansen, Barstow, told of knowing Nesbit since 1909 but could give little testimony of value. He was followed by Henry Stocker, who told of examining the car after the shooting. He described the broken seat near the center of the car, and said there was blood on it, while across the aisle was a bundle of blankets. Under cross examination it was brought out that it was light enough to see distinctly. The witness said it was his impression that someone had had the nosebleed, when he saw the blood on the seat.

Finds Blood Trail.
Further testimony relative to the way the coach looked after the fight, was given by Henry Morton, who cleaned the coach. He said a trail of blood led from the broken seat to the west end of the car. He could not find a bullet hole in the car.

The bullet was found by Earl Bateman, train flagman, who testified he located it in the seat. He identified the missile.

That the Burlington has a ruling prohibiting employees from riding on trains except those on the engine, when coaches are being switched, unless actually on duty was shown in testimony of W. L. Ayers, general foreman, under whom Nesbit worked. He explained Nesbit's duties relative to cleaning coaches. He examined people's exhibit No. 2, which is the seat in which Carrington was said to have been sitting when Nesbit came into the coach. He said it was the second seat on the south side of the coach. Five seats back was the broken seat, where the fight occurred.

This afternoon Officer Berry and several men who were in police court and heard Nesbit tell his version of the shooting, were the first witnesses called.

Russians Coming to America.

Yokohama, Japan, April 19.—The steamer Sado Maru which sails today for Canada and the United States carries 85 Russian farmers who are seeking occupation in America. They say they are leaving Russia owing to the depressed conditions prevailing in their villages of Siberia.

COLLEGE GYM IS TO COST \$32,500

Construction of New Building at Augustana Campus Is Started by Brisman and Company.

TWELVE PERMITS ARE ISSUED

Licenses Taken Out for Work Which Will Represent Expenditures of \$17,331 When Completed.

Construction of a new gymnasium at Augustana college, ground for which was recently broken, increases the total for the building permits issued in Rock Island during the week closing today by Municipal Building Inspector C. V. Johnson.

The college gym is being erected by Brisman & Co. and the cost, as estimated in the building permit records, is \$32,500. Twelve licenses to build were issued by Mr. Johnson. They were taken out for building work which will cost \$32,500, according to the estimates. Adding the customary 25 per cent for under estimate, the actual cost is brought up to \$47,334.

Twenty-seven permits for sidewalk construction have been issued since May 1. They are for jobs which involved approximately 10,000 square feet of concrete.

List of the Permits.

Following is the list of building permits:

August Bergeson for Charles Barth, 1109 Third avenue, remodeling	\$ 400
William Van Dolien for Mrs. Case, 1925 Second avenue, remodeling	50
H. Lohse for Ed Therman, 3119 Fifth avenue, remodeling	200
C. J. Larkin for Beardsley & Bailey, 217 Eighteenth street, remodeling	120
C. J. Larkin for Royal Neighbors, Safety building, remodeling	100
J. E. Taylor, 1821 Sixteenth street, remodeling	150
Brisman and company for Augustana campus, gymnasium	32,500
A. E. Kellogg for T. A. Rowland, 1117 Sixteenth street, porch	355
A. G. Swanson, 1211 Thirty-eighth street, porch	200
Allen Zimmerman for E. H. Gayer, 1918 Third avenue, store	1,600
John G. Scheuerman, 1712 Sixth street, dwelling	1,050
Harry Keyfauver for H. E. Vendel, 1115 Sixteenth avenue, remodeling	350
Total	\$37,075

LITERARY EVENT AT SCHOOL IS SUCCESS

Undoubtedly the most successful literary event in the history of the school took place at the local high school yesterday evening in the form of a dinner for all the contestants of the school literary affairs, combined with the final Ciceronian meeting for the year, which was thrown open to the public. The dinner commenced at 6:20 and consisted of a delicious 35-cent banquet served in the school cafeteria. About one hundred students outside of the contestants were present.

About 7:30 City Superintendent E. C. Fisher, the toastmaster of the evening, rapped for order and called on Principal A. J. Burton to say a few words concerning the occasion. Following Mr. Burton's talk, 12 students present were called upon for brief two-minute talks on topics commencing with the letters in the words, "Home Students." Those called upon were Frazier Vance, Aline Martin, Verner Hallgren, Roy Johnson, Dorothy Cleveland, Charlotte Huesing, Marion Roth, George Adams, Robley Clarke, Ruth Cleveland, Dwight La Grange and Charlotte Murray. All the speeches were brief, snappy and to the point and never failed to provoke a storm of laughter. Mr. Fisher proved an excellent toastmaster and had a fund of wit that kept those present in a very agreeable mood.

At the end of the speeches, the students adjourned to the open Ciceronian meeting which was held in the music room of the high school. About seventy-five were in attendance and the program was such as to hold the attention of the audience at all times. It was as follows:

Address of welcome—Vice president Robert Anderson.

"The Principles of Socialism"—John Doering.

"The Administration's Foreign Policy"—Uri Metcalf.

"The 1916 Presidential Campaign"—Roy Johnson.

Debate: Resolved, that the United States should prohibit the sale of arms to warring nations. Affirmative, Verner Hallgren, George Adams, negative, Lewis Saulpaugh, Robert Olmsted.

"A Patched-Up Entertainment"—Junior quarter, Clifford Myers, John Gustafson, Arthur Dodson, Dwight La Grange.

Decision of judges, two to one in favor of the negative.

The quartet was a comic one and received great applause from the audience. It rendered a number of humorous songs and was the hit of the evening.

The judges of the debate were T. P. Smetton, H. B. Simon and J. Clinton Searle. Mr. Smetton was coach of the society from its organization until this year when he severed connection with the school and was called upon at the close of the meeting for a brief talk. He responded and gave a most interesting account of his experiences with the society in times past. The meeting adjourned at 10 o'clock.

ELMER OSTERMAN IS INJURED AT Y GYM

Elmer E. Osterman, 921 Fourteenth and a-half street, suffered a severe injury to his left arm in an accident at the Y. M. C. A. gymnasium last evening. He was engaged in high jumping when he slipped and fell, alighting heavily on his left hand. The elbow was badly dislocated and his wrist sprained. Dr. Joseph DeSilva attended him. Mr. Osterman is employed in the press room of The Argus.

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VACANT LOTS ARE IN NEED OF CARE

Complaints Come to Street Vigilance Committee of Woman's Club Relative to Condition.

Many complaints have come to the street vigilance committee of the civic department of the Rock Island Woman's club relative to the collection of garbage, certain amount of refuse having been left lying in the alleys. Chairman of the department has consulted with Commissioner Liedtke and he has agreed to accompany the men who collect the garbage and personally instruct them as to what they shall collect. Inquiries have come as to the disposition of grass and the commissioner has said that it may be placed in the garbage can and if there is no room there to place it close to the

can and it will be taken with the other refuse.

Attention of those owning horses is called to the fact that manure boxes must be kept covered and those owning vacant lots that weeds must be cut and lots kept in good condition. There are a number of unsightly vacant lots in the business section of the city that should receive attention and be placed in better condition for the civic pride of the city.

It is cooperation that counts and if every one will attend to his own parcel of ground and alley at the rear the general condition of the city cannot help but be improved and beautified.

NAME DELEGATES TO IOWA LABOR SESSION

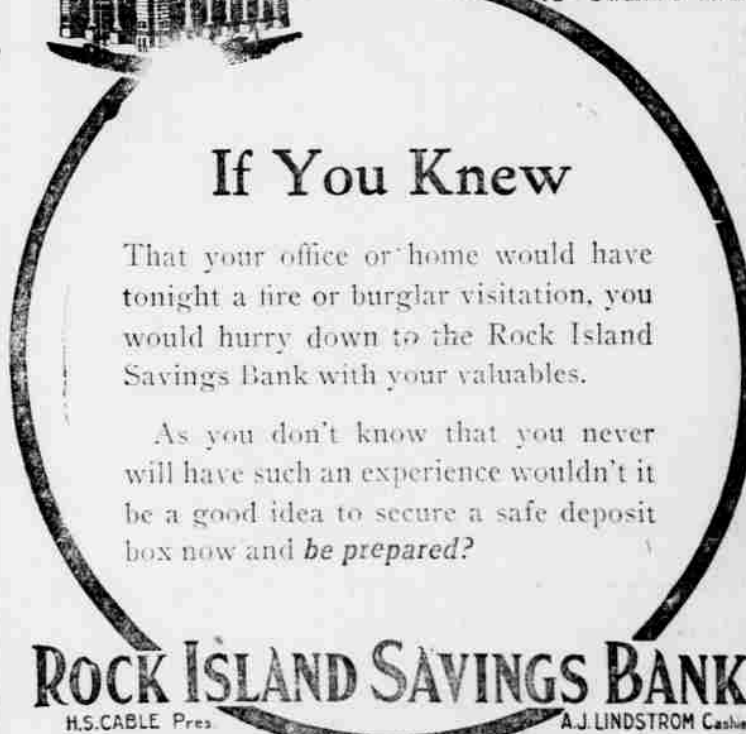
At the semi-monthly meeting of the Tri-City Federation of Labor held last evening at the Industrial hall delegates were named to the annual convention of the Iowa State Federation of Labor, which convenes at Marshalltown June 13. The local federation is

entitled to three delegates. They were named as follows: L. M. Gansworth, Henry Hartman and Fred Little, all of Davenport. Most of the time of meeting was consumed on organization plans the federation has under way.

The session was well attended and much routine business was transacted. All the news all the time—The Argus.



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To Editor:

Kindly send your paper from now until

July 1 to

.....

former resident of the Tri-Cities.

Signed by